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Paper No. 11

JAMES W. HINEY ESQ.
1872 PRATT DRIVE
SUITE 1100
BLACKSBURG, VA 24060

In re Application of
Cherouny, et al. :
Application No. 09/695,443 :
Filing Date: June 19, 2001 :
Attorney Docket No.: PC 10 :
For: ELECTRONIC PROGRAMMABLE SPEED :
LIMITER :

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OFFICE OF PETITIONS

The above-identified application has been referred to the Office of Petitions for consideration of the letter submitted October 21, 2002. This letter is being treated as a petition to withdraw the holding of abandonment under 37 CFR 1.181. No fee is due in connection with this matter.

The petition to withdraw the holding of abandonment is **GRANTED**.

On September 10, 2001 a decision on petition was mailed according the instant application a filing date of June 19, 2001. Thereafter, the application was forwarded to the Office of Initial Patent Examination for further processing. The Office of Initial Patent Examination held the application abandoned for failure to timely respond to the decision on petition mailed September 10, 2001, however, no response to the decision was required as a matter of law. Accordingly, the Notice of Abandonment was inappropriate.

In view of the above, the Notice of Abandonment is hereby **VACATED** and the Notice of Abandonment is **WITHDRAWN**.

This application is being forwarded to the Office of Initial Patent Examination for further processing with a filing date of June 19, 2001.

Telephone inquires regarding the status of this application should be directed to the Office of Initial Patent Examination at (703) 308-1202.

Telephone inquires regarding the contents of the instant decision should be directed to the undersigned at (703) 305-0310.

Alesia M. Brown
Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy